

U.S.S.N 09/942,959  
Osbakken *et al.*  
PRELIMINARY AMENDMENT



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~~Subt E4 D2~~  
~~74. (Amended) The method of claim 67, wherein the pharmaceutical composition further comprises a second agent, wherein the second agent is selected from the group consisting of an anti-histamine, a mast cell stabilizer, a non-antibiotic anti-microbial agent, an anti-leukotriene, an anti-viral, an antiseptic, a non-steroidal anti-inflammatory, a combination of at least two antibiotics, an agent for treating nasal polyps, an anticholinergic agent and combinations thereof.~~

~~Subt E4 D3~~  
~~86. (Amended) The method of claim 74, wherein the second agent is a non-antibiotic anti-microbial agent.~~

~~Subt E4 D4~~  
~~93. (New) The method of claim 67, wherein the composition has an osmolality of about 300 mOsm/kg to about 880 mOsm/kg.~~

~~94. (New) The method of claim 67, wherein the composition has an osmolality of about 400 mOsm/kg to about 700 mOsm/kg.~~

~~95. (New) The method of claim 67, wherein the composition has an osmolality of about 500 mOsm/kg to about 600 mOsm/kg.~~

~~96. (New) The method of claim 67, wherein the surfactant has a hydrophile-lipophile-balance (HLB) of between about 1.8 to about 8.6.~~

~~97. (New) The method of claim 67, wherein the surfactant has a hydrophile-lipophile-balance (HLB) of between about 9.6 to about 16.7.~~

~~98. (New) The method of claim 67, wherein the composition has a pH of about 3.0 to about 8.5.~~

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99. (New) The method of claim 67, wherein the composition comprises particles in the size range of about 1.0 to about 4.0  $\mu\text{m}$  in diameter.

100. (New) The method of claim 67, wherein the composition comprises particles in the size range of about 0.5 to about 5.0  $\mu\text{m}$  in diameter.

101. (New) The method of claim 67, wherein the composition comprises particles in the size range of about 2.0 to about 3.5  $\mu\text{m}$  in diameter.

102. (New) The method of claim 67, wherein the composition comprises less than about 20% total particles having a diameter of about 5  $\mu\text{m}$ .

103. (New) The method of claim 67, wherein the composition has an NaCl equivalency of about 1.1% NaCl to about 1.8% NaCl.

104. (New) The method of claim 67, wherein the composition has an NaCl equivalency of about 1.3% NaCl to about 1.7% NaCl.

105. (New) The method of claim 67, wherein the pharmaceutical composition is administered to the patient 1-3 times a day for a total of 14-21 days.

106. (New) The method of claim 68, wherein the nebulizer delivers a majority of aerosolized particles in the size range of about 3.0 to about 3.5  $\mu\text{m}$  in diameter.

107. (New) The method of claim 68, wherein the nebulizer delivers a majority of aerosolized particles in the size range of about 1.0 to about 4.0  $\mu\text{m}$  in diameter.

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108. (New) The method of claim 68, wherein the nebulizer delivers a majority of aerosolized particles in the size range of about 0.5 to about 5.0  $\mu\text{m}$  in diameter.

109. (New) The method of claim 68, wherein the nebulizer delivers a majority of aerosolized particles in the size range of about 2.0 to about 3.5  $\mu\text{m}$  in diameter.

110. (New) The method of claim 68, wherein the maximum number of particles delivered by the nebulizer over about 5.0 microns is less than 20% of the total particles.

111. (New) A method of treating sinusitis, comprising the steps of:  
nasally administering a composition of any of claims 1-41 to a mammal diagnosed or suspected of having sinusitis, wherein the composition comprises an agent for treating sinusitis.

112. (New) The method of claim 74, wherein the second agent is a combination of at least two antibiotics.

113. (New) The method of claim 112, wherein the at least two antibiotics are selected from the group consisting of penicillins, cephalosporins, macrolides, ketolides, sulfonamides, quinolones, aminoglycosides, beta lactam antibiotics, and linezolid.

**REMARKS**

Any fees that may be due in connection with this application throughout its pendency may be charged to Deposit Account No. 50-1213.

Claims 68, 74, and 86 have been amended to correct obvious clerical